

Swaziland

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Freedom of the Press

Swaziland's absolute monarchy continued to exert strict control over the media in 2013. King Mswati III has the power to suspend the constitutional rights to freedom of expression and freedom of the press at his discretion, and these rights are severely restricted in practice, especially with respect to speech on political issues or the royal family.

Six media bills were proposed along with a new constitution in 2007, including a Public Broadcasting Corporation Bill, a general Broadcasting Bill, and an Information and Privacy Bill. However, none had been enacted by the end of 2013, and only the press-regulating Media Commission Bill had been opened to parliamentary debate. According to the Africa Media Barometer, there are approximately 30 laws that restrict media freedom in Swaziland, including harsh defamation laws and a Suppression of Terrorism Act that the government has threatened to apply to critical journalists. There is no law specifically banning criticism of the monarchy, though authorities warn that such criticism could be considered seditious or treasonous.

The king has absolute authority to appoint and remove judges, meaning judicial independence is seriously compromised. In April 2013, High Court judge Bheki Maphalala convicted Bheki Makhubu, editor of the independent, privately owned *Nation* magazine, of "contempt by scandalizing the court" in connection with two articles criticizing the judiciary and Chief Justice Michael Ramodibedi. Makhubu was sentenced to a 200,000 emalangeni (\$20,000) fine or two years' imprisonment, and given three days to pay the fine. Makhubu paid the fine and appealed, but the appeal had yet to be heard by year's end. A few days after the decision, the *Swazi Observer* in its opinion section ran the headline "Dear Judge Bheki Maphalala" above a blank page. The apparent protest of the court's ruling was seen as surprising, given that the *Swazi Observer* is owned by Tibiyo Taka Ngwane, a conglomerate controlled by the king.

Swaziland does not have a freedom of information law, and accessing government information is difficult. The Swaziland Media Complaints Commission, a self-regulatory body of journalists and other media workers, was officially registered in 2011 following a 14-year effort by local media organizations.

Swazi media content is marked by a high degree of both official censorship and self-censorship on political and royal matters, often encouraged by hostile rhetoric and threats from senior government and royal officials. The authorities have restricted media coverage of recent prodemocracy protests and public-sector strikes, among other controversial stories. In July 2012, two senior editors—Alec Lushaba and Thulani Thwala—and the chief financial officer at the *Swazi Observer* were suspended for reporting negatively on the king. The editors were reinstated in March 2013. In January, however, Alpheous Nxumalo, the managing director of the Swazi Observer Newspaper Group, which owns the *Swazi Observer* (and is in turn owned by Tibiyo Taka Ngwane), wrote in a column that he would not allow the paper to publish the views of prodemocracy activists. He further stated that Swazi papers that did allow such voices to be heard were undermining the monarchy and its institutions. Controversially, he said he agreed with a statement by South Africa's last apartheid-era president, F.W. de Klerk, alleging that "all revolutionary forces sought to overthrow incumbent governments" by, among other tactics, using the media to spread antistate propaganda. Editors at the privately owned *Times of Swaziland* and the *Nation*, as well as the Swazi chapter of the Media Institute of Southern Africa (MISA), criticized Nxumalo's remarks and asked him to provide evidence to back up his allegations.

Also in January, the president of the Senate insulted two South African journalists at a meeting about the official opening of the body. He then threatened to deny access to Parliament to any Swazi journalist who reported on the incident. In September, when South Africa's *Sunday Sun* newspaper published a negative article about the king's 18-year-old fiancée, the police confiscated the issue from distributors.

Journalists are subject to harassment and assault by both state and nonstate actors, though such incidents have declined in recent years. In January 2013, Eugene Dube, a freelance journalist for the *Swazi Observer*, was assaulted by a mob while covering a chieftaincy dispute in the southern town of Machobeni. In September, a police officer pointed his firearm at *Times of Swaziland* photojournalist Walter Dlamini in the southern town of Gege after Dlamini began taking photographs of police beating unarmed protesters.

The country's two newspapers—the *Times of Swaziland* and the *Swazi Observer*—are read almost exclusively in urban areas. Despite restrictions on political reporting, both papers do criticize government corruption and inefficiency. The Swaziland Television Authority dominates the airwaves and generally favors the government in its coverage. Most Swazis get their news from the radio. There is one government-owned radio station and one independent station, Voice of the Church, which focuses on religious programming. State broadcasters are prohibited from reporting on the activities of labor unions, which led antigovernment protests in 2012, and private citizens cannot express opinions through these outlets without prior approval of their comments. Swazis with sufficient funds can freely purchase and use satellite dishes to receive signals from independent South African and international news media. In April 2011, the government prohibited state radio from airing the British Broadcasting Corporation (BBC) program *Focus on Africa* after it carried criticism of the government. The government does not restrict internet-based media, though there are reports that it monitors e-mail, social-media sites, and chat rooms. Few Swazis can afford access to the internet; about 25 percent of the population used the medium in 2013.

Advertisers, including the government, regularly exert financial pressure on media outlets to deter negative coverage, and their influence is significant in Swaziland's small economy. Journalists' low pay and insufficient training sometimes affects the quality of their reporting. Many journalists have left the industry to work for the government or elsewhere in the private sector.

2014 Scores

Press Status

Not Free

Press Freedom Score

(0 = best, 100 = worst)

78

Legal Environment

(0 = best, 30 = worst)

25

Political Environment

(0 = best, 40 = worst)

28

Economic Environment

(0 = best, 30 = worst)

25